

**HAMPTON ZONING BOARD OF ADJUSTMENT
MINUTES
June 18, 2009**

Members Present

Bill O'Brien, Chairman
John Gebhart
Vic Lessard
Tom McGuirk
Bryan Provencal

Others Present

Kevin Schultz, Building Inspector
Joan Rice, Secretary

Chairman O'Brien called the meeting to order at 7:00 p.m.

Chairman O'Brien introduced the members of the Board.

The Pledge of Allegiance was said.

PETITION SESSION

08-09 The continued petition of James Monagle, Margaret Carlman & Christine Parks, Trustees of the STM Trust for property located at 4 Chase Street seeking relief from Articles 4.1.1, 4.2 (including Footnote 22), 4.5.1 and 6.3.1 to replace an old existing nonconforming building with no on-site parking with a smaller and more conforming one with on-site parking the frontage for which is on a private street. This property is located at Map 274, Lot 57 in a BS zone.

Attorney Peter Saari, Casassa & Ryan, said last time they talked about getting more parking on the site by moving the building farther away from the lot line. In preparation for this meeting the applicants spent a great deal of time with their builder in an effort to reduce the width of the first floor. That was not feasible. Instead the depth of the building has been reduced to leave room for a parallel parking space in front of the building, even though that space will be 6" less than the required width.

Questions from the Board

Mr. McGuirk asked if this was still a two unit building. Attorney Saari replied that it was. Mr. McGuirk then asked how many bedrooms there were. Attorney Saari said there were six bedrooms.

Attorney Saari said they had state and Conservation Commission approvals.

Chairman O'Brien said there was a corridor running along the staircase on the first floor and the washer and dryer were not in the utility room. He also stated that the South and East elevation plans submitted last month do not match what is now being proposed. Attorney Saari said there had been a reconfiguration. Chairman O'Brien said that parking is a major concern and he would rather see the landing and stairs out back. Mr. Monagle said that would not be feasible, but perhaps the kitchen could be reconfigured. Chairman O'Brien said they should give up two feet in house width in order to get 2 legal parking spaces and 2 stacked spaces on the sides of the house.

Mr. McGuirk asked what the intended use would be. Mr. Monagle said he would live in one unit and rent the other.

Mr. Schultz said the entire building was being shown as 32 feet wide. If the home was a 30 foot garrison type home and the stairs were on the side there would be 9 feet on the other side creating parking on both sides of the building. Chairman O'Brien said that was his recommendation last month. Chairman O'Brien indicated that all that may be necessary now would be to center the house, move the external staircase to the rear, and then the house dimensions would not have to be changed. This should solve the parking problem. Mr. McGuirk said it would be easier to give a setback in the rear rather than a variance for parking.

Mr. Provencal said he would like the applicants to redesign and come back to the Board next month.

Comments from the Audience

There were no comments from the Audience.

Back to the Board

Attorney Saari said they would have to go back to the Conservation Commission.

Moved by Mr. Lessard and seconded by Mr. Gebhart, to continue the hearing on Petition 08-09 to the July 16, 2009 meeting, at which time it will be first on the Agenda.

Chairman O'Brien asked if fees could be waived if the applicants had to resubmit their petition. Mr. Schultz said there would have to be abutters' fees (e.g., notification), but it is possible to waive the other fees.

Amendment moved by Mr. McGuirk and seconded by Mr. Gebhart, to continue the hearing on Petition 08-09 to the July 16, 2009 meeting, at which time it will be first on the Agenda, with non-essential fees being waived.

VOTE: 5-0-0. Motion passed.

13-09 The petition of Michel & Charlotte Lapierre for property located at 32 Nor'east Lane seeking relief from Article 4.5.1 to build a garage addition which will not meet front setback requirements. This property is located at Map 99, Lot 3 in a RA zone.

Attorney Michael McCarthy said the applicants bought the property with another cottage which was demolished. They subsequently built a new home on the property and would like to add a second garage. The purpose of the setback is to prevent the construction of the building too close to the road. The garage will be located at the end of the roadway. Attorney McCarthy went through the five criteria and said he felt they had been met.

Questions from the Board

There were no questions from the Board.

Comments from the Audience

There were no comments from the Audience.

Back to the Board

Moved by Mr. Lessard and seconded by Mr. Provencal, to grant Petition 13-09.

Chairman O'Brien asked the members of the Board if they felt the five criteria had been met. The members agreed that they had.

VOTE: 5-0-0. Motion passed.

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BUSINESS SESSION

Adoption of Minutes

Moved by Mr. Lessard and seconded by Mr. McGuirk, to approve the Minutes of May 21, 2009.

VOTE: 4-0-1 (Gebhart). Motion passed.

The meeting was adjourned at 7:45 p.m.

Respectfully submitted,

Joan Rice
Secretary